

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

14 APR 22 PM 1:07

OFFICE OF THE CLERK

State of Nebraska)
) ss.
County of Douglas)

TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

PARTIES:

UNITED STATES OF AMERICA, ex rel
Officials and Officers of this Public Trust,
with Commercial Liability, Saddled with the
Burden of Proof, Plaintiffs

vs.

RANDALL DAVID DUE, NOT
REPRESENTING my real man, "pro se" as an
attorney, but acting in the flesh and blood in self
defense in my own proper person, Defendant.

Case no. 8:12CR344

(Date: 16 April 2014)

- NOTICE -

Thomas D. Thalken +

Joseph F. Bataillon's

"Fraud" in and on the Court

Demand shows "Just Cause"

CERTIFICATION

I, Affiant, Randall David Due, Public Minister, acting in my own proper person certify
under my own commercial liability, that the following is true, correct, materially complete
and not misleading to the best of my knowledge and belief.

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APR 22 2014

AFFIDAVIT OF MATERIAL FACTS

Parties: Magistrate Judge Thomas D. Thalken
Judge Joseph F. Bataillon

CLERK
U.S. DISTRICT COURT
OMAHA

Place: U.S. District Court for the District of Nebraska

Event: Conditional Release - Date: 10TH April 2013

Event: Order setting Case for Trial - Date 10TH April 2014

Surety = The Fidelity / Surety Bonds or equivalent of
the cited Judges,
their personal assets, -AND-
the assets of their Corporate Employers.

Facts of Law -

The Supreme Law of the Land, and the judges in
every state shall be bound thereby ...

- U.S. Constitution, Article 6, paragraph 2 -

All executive and judicial officers ... shall be
bound by Oath or Affirmation to support
this Constitution.

- U.S. Constitution, Article 6, paragraph 3 -

The Law: 1st Amendment Rights of Freedom of Association
(Speech and press - Oral & written communication.)

The Violation: On the 10TH day of April 2013

Magistrate Judge Thomas D. Thelken
in conspiracy - under direction and approval of
Judge Joseph F. Battaglia
stepped outside of the U.S. Constitutional Mandates,
outside of their Authority acting under Color of Office
and Color of Law to
Create a Conditional Release,

Depriving Defendants, Donna Marie Kozak, - And -
Randall David Dine

of their UN-A-LIEN-ABLE Rights of Freedom of Association;

Making it a Crime for Defendants to Directly
Communicate with each other;

in spite of the additional Fact that Donna Marie
Kozak had granted Randall David Dine
"Absolute" Power of Attorney to assist her
in the protection of her Civil Rights.

This is an additional Violation of the Law :
U.S. Constitution, Article I, section 10, clause 1
- No party shall impair the Obligation of Contracts -

The Law : 1st Amendment Right to Petition the
government for a Redress of Grievances.

The Violation : In the aforesaid "Constitutional Release"
cited judges conspired to Deprive Defendants of
this Right,
making it a Crime for Defendants to
file / record Legal papers, in their self-defense
seeking a Redress of Grievances, into the
court and / or Public Records.

The Law: 5TH + 14TH Amendment Right to not be
Deprived of Life, Liberty or Property,
without Due Process of Law...

The Violation: The aforesaid violations of Defendants
1st Amendment Rights is depriving us of our
Life, Liberty, and Property,
without Due Process of Law.

The Law: 14TH Amendment Equal Protection of the Law

The Violation: The aforesaid violations of Defendants
Rights deprives us of Equal Protection of the Law.

The Law: 28 USC § 455 - Disqualification of judge -
upon the mere appearance of Bias or Prejudice or
any financial interest in the case.

The Violation: The aforesaid violations against
Defendants' most Basic Fundamental Rights.

The Law: - 18 USC § 2383 -

Rebellion or Insurrection against the U.S.
Constitution, the Supreme Authority and Law of the Land.

The Violation: The aforesaid violations of Defendants
Rights as secured by the U.S. Constitution.

The Law: 18 USC §§ 241 & 242

Conspiracy against Rights - AND - Deprivation of Rights

The Violation: The aforesaid violations of Defendants' Rights.

- Additional Violations of all of the above -

On approx the 14TH Day of May 2014, based upon the aforesaid Fraudulent Conditional Release Magistrate Judge Thomas D. Thalhien in conspiracy with and under the approval of Judge Joseph F. Battillon issued an arrest warrant to have me arrested and thrown into Jail for merely exercising my 1st Amendment Right to Petition the government for a Redress of Grievances seeking Remedy / Relief in Self-Defense.

- Conclusion -

I, Randall David Dee, do not consent to be party to this Conspiracy of Fraud of Process in and on the Court.

I do not recognize the cited judges as having any Authority.

I have on the Official Court Record and continued to Reserve all of my Rights.

Where is the Lawful Authority to support the
aforesaid civil rights violations committed by
Thomas D. T. Baker and Joseph F. Bataillon?

Where is the Authority:

To allow the cited Disqualified judges to issue
any kind of orders in these cases?

To issue an order setting a case for trial, when
they have so Premeditatedly, Maliciously, with
Willful Intent, so Flagrantly Disrespected and Dishonored
the Supreme Law of the Land and Laws thereof?

To Deprive Defendants of their Rights of Life, Liberty,
or Property, without Due Process of Law?

To proceed with this case when cited judges have
conspired to engage the Court in their Fraud of Process
as is Patently Evident from the aforesaid
Violations that they have engaged in?

To allow Public Servants - judges - to act
as they are above the Law?

- Remedy/Relief -

I, Randall David Dee, as is my Right of Due Process of Law - AND - Equal Protection of the Law, demand the Court to immediately Dismiss this Case "With Prejudice" for the aforesaid Fraud of Process.

I demand that the Orders setting case for Trial be stricken from the Official Court Records because of the aforesaid Conspiracy of Fraud of Process in and on the Court.

I demand the immediate release of my Co-defendant and I from Custody/Detention.

Should any Judicial officer and/or other Public Servant believe any point of this Affidavit to be Frivolous, False, or Fraudulent;
you must immediately argue/contest to show specific "Just Cause", categorically point-by-point, to support your belief, by Affidavit sworn or affirmed to be true, correct, materially complete and not misleading.

Anything less shall be considered to be Deliberately Evasive of Due Process of Law - AND - a Default Judgment (Nihil Dicit) on your part.

Notice to Agent is Notice to Principal; Notice to Principal is Notice to Agent

Affiant(s) exercise the right to amend this and/or any other document if necessary, in order that the truth be more fully and certainly ascertained and justly determined.

Affiant, Randall David Due, *in the Flesh and Blood in Proper Person*, do not consent to be an accessory party to Fraud (18 USC §§ 2, 3 & 4) and/or violation of my certain **un-a-lien-able Rights** endowed by my Creator and secured by the Constitution, the Bill of Rights, and by our soldiers who swear an Oath to defend this Nation and its Constitution against all enemies foreign and domestic. Further more, I reserve all of my Rights in relationship to any past and or future action concerning this case. Notice is hereby given. **Fraud vitiates all Contracts and is grounds for reversal of all Legal Faults.**

Due, Randall #3306749, Douglas County Department of Corrections, 710 South 17th Street, Omaha, Nebraska, 68102

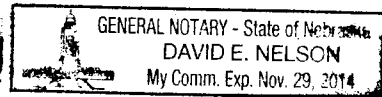
Respectfully,

By: Randall David Due
Public Minister/All rights reserved

Affirmed and subscribed before me this day:

16 April 2014

I.D. # 3306749



David E Nelson

Signature of Notary

Seal

David E Nelson

Print name

Notary Public, State of

Nebraska

Sent: 16 April 2014 Certificate of Service
by U.S. Mail Postage Prepaid to: - the Court -

C/O Clerk of Court, Roman L. Hruska U.S. Courthouse
111 S. 18th Plaza, Suite 1152
Omaha, NE. 68102

cc: DOJ Criminal Civil Rights Division
8th Circuit Court of Appeals
The Public

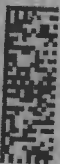
DUE, RANDALL #3306549
Douglas County Dept of Corrections
710 South 15th Street
Omaha, NE 68102

Clerk of Court
Ronald, Douglas U.S. Court House
11 S. 18th Plaza, Suite 8152
Omaha, NE 68102

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